



UNITED STATES DEPARTMENT OF COMMERCE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/560,121	04/28/00	MERRITT	T 303.626US1

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SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH
P.O. BOX 2938
MINNEAPOLIS MN 55402

EXAMINER

KIM, J

ART UNIT

PAPER NUMBER

2816

DATE MAILED:

06/15/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/560,121

Applicant(s)

MERRITT, TODD A.

Examiner

Jung Kim

Art Unit

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-25, 27, 30, 32 and 34-41 is/are allowed.
- 6) ☒ Claim(s) 1, 26, 28, 29, 31 and 33 is/are rejected.
- 7) ☒ Claim(s) 2 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claim 2 is objected to because of the following informalities. The phrases “capacitors is” and “wherein the... level moved to a” are grammatically incorrect. The term “a second gating devices” fails to show that it has antecedent basis. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Merritt (U.S. Patent No. 5677645). With respect to claims 1 and 26, Merritt discloses in Fig. 2 a circuit comprising: a plurality of phase generators 122,144,146,132; first and second preboot capacitors 148,150 coupled to the phase generators; first and second main pump capacitors 138,141 coupled to the phase generators and the first and second preboot capacitors; and first and second gating devices 134,136 coupled to the main pump capacitors, as called for in claims 1 and 26.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 28-29 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Merritt. With respect to claims 28-29 and 33, Merritt discloses in Fig. 2 a memory device (charge pump for memory) comprising a plurality of phase generators 122,144,146,132, first and second preboot capacitors 148,150 coupled to the phase generators and first and second main pump capacitors 138,141. Merritt fails to disclose that the memory device (charge pump for memory) is formed on a substrate and used along with controller, command and data links. However, it is notoriously well known in the art that charge pumps for memory such as the Fig. 2 circuit of Merritt are formed on a substrate and are used with controller, command and data links. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of invention to form the charge pump memory device of Merritt on a substrate and use it in conjunction with controller, command and data links because such use of charge pump in a memory environment is notoriously well known implementation of a charge pump and the charge pump of Merritt needs a physical implementation, as called for in claims 28-29 and 33.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Claims 3-25,27,30,32 and 34-41 are allowed.

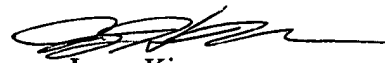
Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jung Kim whose telephone number is 703-305-7242. The examiner can normally be reached on M-F, 9am - 5pm.

The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.



Jung Kim
Primary Examiner
Art Unit 2816

JK
June 13, 2001